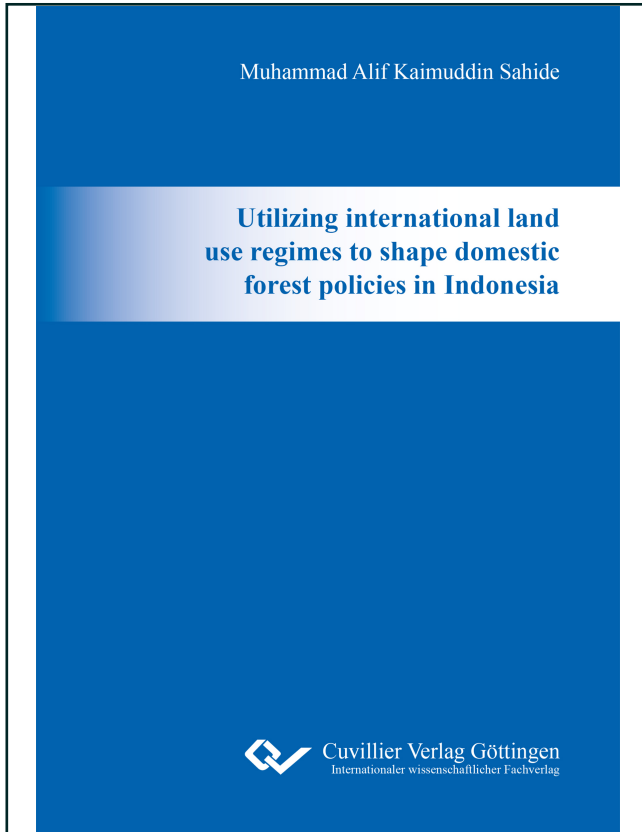




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**Utilizing international land use regimes to shape  
domestic forest policies in Indonesia**



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# 1 Introduction and research question: International regimes from the point of view of national land use policy

Claims by international regimes regarding land use and its transformation system have been extensively analysed regarding the practices of the international actors underlying Indonesian land use transformation. The important ecological tropical forest transformative ecosystems in Indonesia have converted one million swamp areas (including peatland) for agriculture or food security (Dauvergne, 1998), timber in the 1970s (Manning, 1971), rubber in the 1990s (Feintrenie & Levang, 2009), and palm oil at the end of the 1990s (McCarthy & Zen, 2010). An international loan from the World Bank to convert one million swamps, the International Monetary Fund's requirement that the Indonesian log export ban of 1998 be lifted, the Roundtable on Sustainable Palm Oil (RSPO) governing Indonesian palm oil certification, and *Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH* (GIZ) triggering the concept and implementation of FMUs and CF from the 1990s, are examples of international regimes governing the tropical rainforest transformation systems in Indonesia. We will describe the change in land use, from native forests to: i) community forestry, ii) rubber plantations and iii) palm oil plantations. This land use transformation system is our heuristic case, taken from the recent forest ecology, which was developed by the Collaborative Research Centre 990 of Georg-August University Goettingen in Germany and its counterpart in Indonesia. This heuristic model will help us to demarcate international land use regime complexes related to the heuristic case implemented and utilized by domestic actors in the policy-making process.

In scientific research, international (forest and land use) regimes are seen as the result of international relations. Researchers started by defining the regime concept (Krasner, 1983) and regime complex (Raustiala & Victor, 2004; Keohane & Victor, 2011), as well as breaking international regimes down into regional regimes (Giessen et al., unpublished; Jürging & Giessen, 2013) and quantifying regime effectiveness (which was developed by research groups at Oslo and Potsdam Universities). Forest land use in Norway was chosen by Lindsay and Solberg (2010) as a heuristic case for testing out their formula on regime effectiveness. They found it was challenging to separate the cause-effect relationship because of its complexity, including the uncertainty following longer causal chains and directions of causal influence. Moreover, Lindsay and Solberg conclude that the causal relationship of international regimes is difficult to determine and recommend analysing more complex forest management elements across countries. Furthermore, Smouts (2008) introduces 'implementation' as another criterion of effectiveness. Implementation can be measured by the way in which the provisions of the regime are translated into legislative or public policy measures.

To materialize 'implementation' and facilitate the shift from 'effectiveness' to 'influence', Bernstein and Cashore (2012) provide a framework that distinguishes four pathways influencing domestic policy making, each with its own causal logic: (i) international rules; (ii) international norms and discourse; (iii) creation of or intervention in markets; and (iv) direct infiltration of domestic policy processes. The central argument is that domestic influences cannot be studied simply by looking at the international rules pathways, as significant effects also occur along the three other pathways, as well as through interaction. This argument has pushed scholars to further analyse regimes, not only from an international viewpoint, looking into their implementation on a domestic level, but also from the viewpoint of domestic politics, utilizing international regimes and observing international actors' interests. Hence, it is necessary to balance the outlook of those regimes from national or domestic positions to assess domestic interests' utilization of those international regimes, implemented at the national level. In this framework, it is also possible to assess international actors' interests.

Regimes are studied from the bottom up in one of the new approaches developed by Working Group International Forest Regime, Chair Group of Forest and Nature Conservation Policy, University of Goettingen, which investigates the utilization of global and international regimes. Under this working group, a specific investigation of the domestic utilization of regional land use bureaucracies in the Association of Southeast Asian Nations (ASEAN) countries was delivered.

This bottom-up view requires: (i) strong domestic political analysis that investigates jurisprudential domestic land use systems that serve the potential and actual interests of related actors; (ii) investigating the selected national land use (palm oil, forest management unit and community



forestry), which is strongly supported by international and domestic actors pursuing their own interests; (iii) investigating the complex utility of ASEAN land use regimes for Indonesia; and (iv) scientific measurement used in investigating domestic behaviour utilizing regimes. These four issues will use bureaucratic politics as a core theory that states that the behaviour of bureaucracies follows dual organizational interests: (1) informally they are competing with other actors, especially other bureaucracies, for resources, political domains and influence, and (2) formally, they have distinct tasks for delivering public services (Niskanen, 1971; Krott, 2005; Peters, 2010).

Hence, this research not only identifies global and ASEAN regional regimes, but also investigates the multiple actors' interests that drive domestic utilization of those regimes, which is explained on three levels. Firstly, international actors can portray their motives as rational, logical steps to disburse international funds, fight global deforestation (which means countering domestic palm oil expansion) and maintain their superiority as international donors to developing countries. Secondly, ASEAN regional land use regimes can filter global regimes that counter mutual member states' interests and/or ally with other regional regimes to attract global funds. Third, domestic actors can utilize those regimes to pursue their bureaucratic interests. Conflicting utility could also possibly exist between domestic and international actors, or conflict among them.

Following the framework of the bureaucratic politics of particular domestic programs and instruments (e.g. Indonesian palm oil certification, Forest Management Units and community forestry), which are highly supported and influenced by international regimes, further explanation will be provided regarding multiple actors, their underlying interests, and the regime concepts and their implementation. The Ministry Responsible for Forestry (MoFor) and Ministry of National Planning (BAPPENAS) have been identified as the central domestic authorities that can recentralise their power in the Ministry of Agriculture (MoA), creating a new domestic palm oil certification (ISPO) to challenge the global one (RSPO). This is in line with Wibowo et al. (2015), who stated that domestic actors utilize instruments to pursue their own interests. This research will further investigate the multiple actors to explain the regimes' utilities.

Hence, this research will contribute to shaping forestry policy by investigating the following main research question:

### **How do domestic politics utilize international regimes on land use transformation in Indonesia to shape forestry policy?**

Consequently, the research poses the following sub-questions to break down the main research question:

1. What are the bureaucracies and their tasks, as well as their legal options for pursuing actual and potential interests in steering land use transformation systems in Indonesia?
2. How did the domestic bureaucracy, together with international actors, use and adapt national instruments and international support to pursue their own (international and domestic) interests in several cases of land use transformation in Indonesia, such as (a) certification of palm oil and (b) Forest Management Units and community forestry?
3. How did the domestic bureaucracy utilize the ASEAN regional forest and environmental regime complex?
4. How is the relevance of international and regional regimes for domestic bureaucratic politics?

The sub-questions mentioned above were investigated and discussed using 4 constitutive articles and 10 supplemental articles, as listed in Table 1. These publications contain 9 scientific articles and 4 policy advisement papers. Table 1 also shows the contributions of each author to the constitutive publications of this dissertation.



Table 1 Overview of publications and contributions of each author to the constitutive publications of this study; C means core contribution and S means secondary contribution

No.	Publications	Theory	Methodology	Results
<b>Constitutive</b>				
1	<b>Sahide, M. A. K., &amp; Giessen, L. (2015).</b> The fragmented land use administration in Indonesia—Analysing bureaucratic responsibilities influencing tropical rainforest transformation systems. <i>Land Use Policy</i> , 43, 96-110.	S	C	C
	Giessen developed theory. Sahide and Giessen developed hypotheses of the study, methodology and methods. Sahide adapted and applied the theory and hypotheses to the case, adapted and applied the methodology to the case, and produced case findings			
2	<b>Sahide, M. A. K., Nurrochmat, D. R., &amp; Giessen, L. (2015).</b> The regime complex for tropical rainforest transformation: Analysing the relevance of multiple global and regional land use regimes in Indonesia. <i>Land Use Policy</i> , 47, 408-425.	S	C	C
	Giessen developed theory. Sahide and Giessen developed hypotheses of the study, methodology and methods. Sahide adapted and applied the theory and hypotheses to the case, adapted and applied the methodology to the case, and Sahide and Nurrochmat produced case findings			
3	<b>Sahide, M. A. K., Burns, S., Wibowo, A., Nurrochmat, D. R., &amp; Giessen, L. (2015).</b> Towards state hegemony over agricultural certification: from voluntary private to mandatory state regimes on palm oil in Indonesia. <i>Jurnal Manajemen Hutan Tropika</i> [Journal of Tropical Forest Management], Vol. 21, (3): 162-171, December 2015. <a href="http://jesl.journal.ipb.ac.id/index.php/jmht/article/view/10798/8499">http://jesl.journal.ipb.ac.id/index.php/jmht/article/view/10798/8499</a>	S	C	C
	Giessen developed theory. Sahide and Giessen developed hypotheses of the study, methodology and methods. Sahide adapted and applied the theory and hypotheses to the case adapted and applied the methodology to the case, and Sahide, Wibowo and Burns and Nurrochmat produced case findings			
4	<b>Sahide, M. A. K., Supratman, S., Maryudi, A., &amp; Giessen, L. (2015).</b> Is Indonesia utilising its international partners? The driving forces behind Forest Management Units. <i>Forest Policy and Economics. (Major revision)</i>	S	C	C
	Giessen developed theory. Sahide and Giessen developed hypotheses of the study, methodology and methods. Sahide adapted and applied the theory and hypotheses to the case. Sahide, Supratman and Maryudi adapted and applied the methodology to the case, and produced case findings			

## 2 Theoretical framework: Bureaucratic politics and interests in utilizing regimes

### *Global and regional regimes and regime complexes*

Fundamentally, an international regime can be defined as a set of implicit or explicit principles, norms, rules and procedures around which actors' expectations converge in a given area of international relations (Krasner, 1982; Giessen, 2013a). Lately, scholarly work in international relations has developed the concept of regime complexes, which are defined by Raustiala and Victor (2004:279) as 'an array of partially overlapping and non-hierarchical institutions governing a particular issue-area'. Based on this definition, the regime complex for Indonesian land use transformation can be understood as a network of institutional elements not organised hierarchically, including entire international regimes involved in a wide array of activities associated with the multiple issues involved in land use transformation (Article 2, Sahide et al., 2015).

A regime complex dedicated to Indonesian land use change might include a number of institutional elements devoted to different issues. These elements might be of a global or regional nature. In this context, regional regimes are understood as international regimes involving two or more states, with criteria limiting membership on the basis of geo-spatial or other crucial functional proximity and a lack of global aspirations (Giessen et al., unpublished; for examples, see Overdevest & Zeitlin, 2014). Hence, the concept of a regime complex affecting tropical land use transformation is proposed in this research and accounts for domestic actors utilizing those global and regional regimes to pursue their interests (Article 2, Sahide et al., 2015).

### *Bureaucratic politics and utilizing regimes*

Utilizing regimes could be seen from two perspectives: institutionalist and rationalist. The institutionalist view argues that formal, legitimate participation in international negotiations 'could' solve some of the bureaucracies' decision-making issues (Abbott & Snidal, 1998). The rationalist perspective is more focused on the interest-based negotiation style (Müller, 2004) where elites ultimately control the political agenda (Bachrach & Baratz, 1963). We synthesized both of these approaches under bureaucratic politics, where parochial, personal, institutional, national and domestic interests influence the actors' positions on the issue at hand during participation in international negotiations (Tagma & Uzun, 2012).

We used bureaucratic politics as our core theory to investigate actors' behaviour and find their basic interests in the particular utilization of international regimes. This is found in Article 1, 2, 3, and 4 or Sahide and Giessen, 2015; Sahide et al., 2015a; Sahide et al., 2015b, Sahide et al., 2016). Bureaucratic politics have two major assumptions: (i) states are not fully rational and unitary actors and (ii) the central state lacks the capacity and information to assess and control the increasing amount of international interaction (Niskanen, 1971; Peters, 2010; Krott, 1990; 2005; Rahman and Giessen, 2014; Burns and Giessen, 2014). Most of the players utilize foreign policy decision-making by virtue of their roles and positions in the government (Allison, 1971). Therefore, to understand roles and positions, interests should be at the centre of analysis, complementing the formal tasks of bureaucracies (Krott, 2005). Brockhaus et al. (2014) strengthen this framework by arguing that by obtaining, formally and informally, the consent of the governed, actors that are defined as individuals, groups of people, or organisations with the capacity and legitimacy to exercise their bureaucratic power, do so when political interests are present. In addition, to elucidate these interests, we look into power, particularly coercion power, arising from bureaucratic political entities' tendency to use their influence (which is exerted through the use of information and power) to steer developments in their desired direction (Simon, 1981; Krott, 1990; 2005).

Bureaucratic political theory involves not only state actors, but non-state ones as well (global and domestic private, third-party or indigenous actors), who are defined as bureaucracies' societal clientele. There are also arenas where bureaucracies struggle to increase their responsibility for policy domains, budgets and staff, as well as maintain mutually beneficial relations with their societal clientele (Downs, 1967; Peters, 2010; Giessen et al., 2014).

In hindsight, we used bureaucratic politics to observe the multiple utilities available to domestic actors using the international regime in land use politics. Consequently, this research will create a new



arena of scholarship, ‘regimes examined from below’ or bridging regimes and domestic politics to fill the gap in materializing regimes and their implementation in specific national settings’, which has been neglected in research, with a few exceptions (e.g. McDermott et al., 2010). We will analyse multiple actors’ informal interests, which drive their formal performance. In a specific context, underlying domestic interests could lead to imposing a political agenda, aligning with other actors, blocking annoying agreements, or taking other bureaucratic political actions involved with utilizing regimes.

## **2.1 Formal responsibilities of domestic bureaucracies underlying interests of the land use transformation system in Indonesia**

### ***Explaining dual land system on regulating conflicts through bureaucratic politics***

Indonesian state forests were influenced by colonial-era state making (Peluso & Vandergeest, 2001) both in terms of territorialisation of the dual land system of state forests and land titles (Fay & Martua, 2005) and as a legal framing for separating forest governance into *beheer* (administration) and *bestuur* (management) (Article 1). The two colonial forest practices, the dual land system and the separation of forest governance, have directly impinged on the intended use of forests, even as they were defining what these were under the law (Peluso & Vandergeest, 2001). Under the bureaucratic political framework, the dual land system and forest governance separation have put land use bureaucracies (e.g. national land and forestry ministries) in place that have improved and strengthened the formal legal land- and commodity-based strategy controls of the state. This situation should be understood as bureaucracy steering legal land usage to pursue their interests.

Under the old forestry and agrarian laws (Basic Forestry Law 5 of 1967 and Basic Agrarian Law 5 of 1990), the national land use bureaucracies has fully administering forest and land use system, where Ministry of Forestry (MoFor) held practically full authority to administer an area of 143 million hectares (ha) that had been determined as ‘Forest Area’ (*Kawasan Hutan*) and National Land Agency (NLA) administering land territoriality or ‘Non-Forest Area’. However, under new forestry (Forestry Law 1999) and decentralisation laws, national land use bureaucracies has to involve regional bureaucracies in order to make use of all legal options for regulating conflicts between economic and conservation interests (see Barr, 2006). The MoFor will use forests determined by law to counter international forest regimes in defining forest and land degradation. In addition, the forestry and land bureaucracies are engaged in a tenacious struggle regarding authority over the land (Nurrochmat et al., 2014), but could be on the same side when disputing local land conflicts (Bakker & Moniaga, 2010). The competition between land use bureaucracies and agricultural commodity bureaucracies is intensified by the interests of the societal clientele surrounding each bureaucracy (see Peters, 2010; Downs, 1967). Land use bureaucracies are involved with and influenced by societal clientele through their political actions, such as imposing power during the authoritarian era, involving local (provincial and district) bureaucracies during the decentralisation period, and recentralising power during the post-decentralisation era.

### ***Hybrid bureaucracies utilize particular international regimes***

Public bureaucracies provide an additional point of access for a wide variety of interests in a fragmented government (Thomas, 1997). The fragmented interests of bureaucracies can be naturally divided into production-oriented bureaucracies and conservation-oriented bureaucracies (Hirsch & Warren, 1998). It is possible, however, to find hybrid production-environmental bureaucracies (Giessen et al., 2014). According to public management scholars, the bureaucratic hybrid structure is the best form for organizing and influencing multiple clients’ interests (Pedersen, 2010). For our framework, a hybrid bureaucracy is considered to convey different interests in the global and domestic agendas. The medium status of the legal basis, but strong power, of hybrid bureaucracies will meet the high-level legal challenges of traditional bureaucracies (almost all of which are clearly divided into production- or conservation-oriented bureaucracies).

These strong hybrid bureaucracies can manifest as a super bureaucracy, but on a temporary, state level where organisations are established by the elected president to pursue the temporary and relative interests of the national agenda. Creating a new super-bureaucracy with limited staff but strong coercion power and a budget is easy (Helperin & Clapp, 2006; Wibowo and Giessen, 2015), but it is



not an effective way to face traditional bureaucracies with their long-established, clear forest and land use territoriality. Hence, contested interests and power struggles between bureaucracies provide opportunities to utilize international regimes for pursuing domestic interests.

### ***Hypotheses***

- Hypothesis I: National land use bureaucracies involve regional bureaucracies in order to make use of all legal options for regulating conflicts between agricultural interests and international and national conservation oriented requirements.
- Hypothesis IIa: Hybrid bureaucracies were created by the president to steer the utilization of particular international regimes.  
Hypothesis IIb: Hybrid bureaucracies were able to get financial, informational, and regulative support from international regimes.  
Hypothesis IIc: Hybrid bureaucracies get in conflict with traditional bureaucracies and were not able to influence local land use process

## **2.2 ISPO: From international governance to the domestic government**

### ***Certification as voluntary private governance?***

In the 1990s, certification in the agrarian policy domain was introduced (Rametsteiner & Simula, 2003). Studies conceptualized certification as ‘non-state market-driven governance’ and a ‘governance system without government’ (Cashore, 2002). Cashore et al. (2007) argue that ‘the most important feature of non-state market-driven governance is that there is no use of state sovereignty to enforce compliance’. However, recent scholars note that under global circuits, the state has reassumed the government’s role in adapting public services and new institutions emerged for different motives, likely following political change (Cordoba & Jansen, 2014). Furthermore, Hospes (2014) found that the difficulties in the implementation of the voluntary private standard at the domestic level (in the southeast Asia) have prompted the collaboration of scholars with national or local governments. To synthesize this logical framework, we pose the following question: Is non-state market-driven governance purely private or state driven? (Article 3)

### ***Bureaucratic politics in countering global certification***

Certification politics among inter-specific state bureaucracies and governing conflicts among non-state and state actors can be further specified into which particular bureaucracies and their societal clienteles are conflicting with other bureaucracies and their non-state allies (see Peters 2010). Bureaucratic politics theory claims that state bureaucracies compete with each other for resources, staff and responsibility for policy domains (Krott, 2005; Peters, 2010; Sahide et al. 2015a; Giessen et al., 2014, Burns et al., 2016). In order to increase their power, national bureaucracies are likely to seek coalitions with national and international actors, both public and private (Rayner et al., 2001; Giessen & Krott, 2009). Recent findings show that mandatory state certification was introduced through legal state verification schemes in the timber case, where national bureaucracies could expand their authority through national sovereignty (Schouten & Glasbergen, 2011; Cashore & Stone, 2012; McDermott, 2013).

The Indonesian palm oil sector competes with the agricultural-trade bureaucracies and land use bureaucracies (Sahide & Giessen, 2015), which is important to investigating their preferable coalition for private or state certification. Giessen et al. (2014) show that utilitarian bureaucracies (e.g. trade and industrial ministries) are strongly represented in state interests rather than specialized environmental bureaucracies in international forest and land use regimes. Following this logic, land use bureaucracies could favour a state palm oil certification and trade and industrial ministries could prefer global regimes and represent the domestic level in international negotiations. In this sense, land use bureaucracies could enhance certification schemes by funding program participation, promoting certification through public procurement policies or applying certification standards to their own practices (Espach, 2006).

To use a different logic, it should be considered that bureaucracies, in this case as the monopolists holding regulatory power (Wilson, 1975), are explained by our bureaucratic politics model as rational-legal bureaucracies following national and institutional interests. Particularly, when



bureaucracies become less fragmented (Boyne & Cole, 1998) and meet mutual interests or even become national interests, they will act as the sole, solid bureaucratic provider of a service (Osborne, 1993). Countering the global certification regime by creating legal barriers could be interpreted as the state hegemony using regulatory power (see Lazarus-Black, 1994) in such political actions as imposing rules to tackle global schemes, lowering the domestic standards of certification institutions, making certification mandatory, and imposing cooperation through joint technical assessment.

### *Hypotheses*

- Hypothesis III: In countering private global palm oil certification by establishing state-driven palm oil certification schemes, bureaucracies use their regulatory power to impose an obligation to certify and try to attract global third-party actors to acknowledge national certification.
- Hypothesis IV: Different bureaucracies favour different certification schemes based on their bureaucratic interests. Land use bureaucracy favours a state-obligatory scheme and trade bureaucracy favours a private-voluntary scheme.

## **2.3 FMU and CF: The utility of national instruments for international and national interests**

### ***Bureaucratic politics explains the institutionalisation of forest management and community use as an instrument of state power***

The post-colonial era led to hollow states in Indonesia when the state failed to govern forest management due to its unclear tenure (Ostrom, 1999; Agrawal, 2007). Therefore, the institutionalisation politics of forest management have been used as a technic of state power (Agrawal, 2001 also gives an example from India) to not only overcome this issue, but also to meet specific domestic interests. Institutionalising forest management is part of the territorial control process (Peluso & Vandergeest, 2001) by which governments demarcate specific functions of forest land (e.g. conservation or production) and also mark areas of forest land as claimed by the state or potentially offered to private and indigenous actors but still under state control. Non-state indigenous actors might be against forest management institutionalisation if they wish to promote an indigenous concept that is purely established and free of any state structure (Bakker & Moniaga, 2010). This is also in line with Peluso and Vandergeest (2001), to whom access to state forests and forest resources was provisionally granted through state-issued permits that considered their research as coming under CF usage.

Rich technocratic instruments of forest management institutionalisation in a 'hollow forest' management situation are easily developed and clearly linked to international forestry norms. Gourevitch (2009) shows that international norms can become an explanatory variable for domestic politics. With the support of technocratic societal clientele through consultancy programmes (Hamilton-Hart, 2006), states can easily adapt these norms into very normative and legal tools, involving other international actors supporting institutionalised forest management. Rich technocratic forest management institutionalisation is interpreted by bureaucratic politics (Krott, 2005) as a potential strong state power in the new bureaucratic structures, with budget essential-transferred and mechanisms, capacity, and informational requirements and management. Consequently, diverse domestic utilization of this forest institution can be used to relocate power back in the central bureaucracies, like recentralising authority (Mutebi, 2004; Ribot et al., 2006) or recentralising budgets and information.

Following bureaucratic politics to explain societal clientele (Downs, 1967; Peters 2010), this should be understood as the bureaucratic opportunity for actors in the forestry and land use sectors to maintain some balance between state rule, policy domain and coercive pressure from indigenous actors regarding customary forests rights. Indigenous actors, who are always strongly allied with the international conservation regime (Anaya, 2004), could reject the state's proposal on community forestry; however, the international forest regime's majority will also utilize this domestic forest institutionalisation to infiltrate domestic policy making through direct access (Berstein & Cashore, 2012). They will then pursue their formalistic regime's goals and informal interests; and vice versa, domestic actors will utilize this instrument as an expressive instrument for preparing direct access to inviting regimes (similar to McDermott et al., 2010).



## ***Hypotheses***

- ***Hypothesis V:*** International actors have dual motivations for supporting FMU-CFs: (i) formally they want to find the clearest and efficient way to invest their international cooperation funds in tropical countries and counter global deforestation (ii) informally they want to counter Indonesian palm oil plantations. In addition, international interests could be contrary to domestic interest in utilizing FMU-CFs
- ***Hypothesis VI:*** Domestic bureaucracies use FMU-CF programmes to relocate power back in the central bureaucracies by preparing instruments which formal are in line with international regimes but informal are dominated by domestic bureaucracies.

## **2.4 The utility of ASEAN land use regimes**

### ***ASEAN regional regimes***

Different from European Union (EU)-style regional integration, the Association of Southeast Asian Nations (ASEAN) has tended to be more and less intergovernmental rather than supranational in authority (Cuyvers et al., 2005). Furthermore, the nature of the actors' relationships in achieving member goals in the ASEAN regime has been identified as a very soft diplomacy or commonly cited as 'the ASEAN way' approach to maintain its traditional political doctrine on striving for peace and security in Southeast Asia (Acharya, 1998; Lian & Robinson, 2002; Cuyvers et al., 2005), or one could say it is even less conflict-inducing than the non-intervention principle (Goh, 2003).

### ***Explaining ASEAN land use regime utilities through bureaucratic politics***

A non-intervention code is a strong instrument for making 'process' (not 'progress') in the ASEAN regimes (Jones & Smith, 2007). It characterises regional land use regimes and bureaucratic political analysis explains that strong domestic sovereignty is the convincing instrument and resource of state power that allows domestic bureaucrats to pursue their interests by blocking any irrelevant regional treaties (see Krott, 2005; Peters, 2010). Rather than creating an integrated forest and environmental community (Cotton, 1999), it can only sustain a pattern of limited intergovernmental relation. Domestic actors can easily be bureaucratically rigid and normative collaborators in their relations with other actor states' members, which in international politics is defined as 'political delay' (Huntington, 1965). It occurs when one bureaucracy lacks autonomy and coherence. It is intensified by the contrasting interests of different domestic bureaucracies involved in one region's forest negotiations; for example, agricultural ministries versus forest ministries at the ASEAN Ministerial Meeting on Agriculture and Forestry (AMAF) forum. Conflicts of interest between agricultural, environmental, trade and forestry bureaucracies will enhance the actors' representation in the regional regime so they only use regimes as a normative end to achieve their bureaucratic interests, or to maximize budgets, expand staff, collect information and observe opposing interests (see Niskanen, 1971; Krott, 2005; Peters, 2010) without deeply negotiating on behalf of either production or conservation interests. However, domestic conservation interest bureau representatives will still lose when production interests meet over the mutual benefits of state members.

In hindsight, this ASEAN regional land use regime study has resulted in some researchers observing the ways of utilities for ASEAN's members using the regional regime in forest and land use politics. Firstly, it is observed that ASEAN has undermined forest and environmental issues (Elliott, 2000; Aggarwal & Vakkey, 2013), which means blocking inconvenient forest and environmental issues to benefit specific member(s) interests. Secondly, specific ASEAN member(s) or other regimes could potentially impose issues on other member state(s) through ASEAN bureaucracy; it is similar to the Yong & Peh (2014) thesis that ASEAN, in tackling forestry and environmental issues, cannot be underestimated, which can be seen in the example that all ASEAN members have finally ratified and are enforcing the Agreement on Transboundary Haze Pollution, which is yet to be accomplished in any other regional regime in the world. Thirdly, a significant amount of the budget is produced from the international actors' support for ASEAN, which means ASEAN is attracting funds through their forest and environment issues. Fourthly, ASEAN member states (AMS) need a strong alliance to face other regimes in order to maintain their urgent position on global forest and environmental politics.



This starting point provides the framework to explain actors' behaviour for producing the comprehensive implementation for analysing AMS' behaviour using ASEAN for blocking, attracting, imposing, and allying to maintain their formal and informal goals.

### *Hypothesis*

- **Hypothesis VII:** A regional regime is useful for a powerful member as given in the case of Indonesia in four different ways: (1) blocking specific rejected international initiatives; (2) attracting funding; (3) imposing standards or rules from one member state at the regional level and/or on other member states; and (4) allying with and/or taking a joint selling position against and/or forming coalitions with other regimes.

## **2.5 Typology on international regime relevance**

A typology in this field poses scholars of reasonable politics with a number of conceptual challenges. These call for conceptual innovation in the area of comparative land use regime complex analysis (Wigell, 2008; Guliyev, 2011). Regarding international politics, regime analysts need to solve the problem of creating analytic differentiation of diverse forms of political land use regimes without stretching their concepts to cases that do not display reasonable conceptual validity (Wigell, 2008). Scholars have stressed the importance of re-thinking key concepts found in the literature on political land use regimes and domestic land use politics in order to allow for typologies that can better describe these new political applications as a better basis for cross-national land use comparison practices.

Configurationaly, regime typologies became the major tools that could be generalized across the wide variety of international regimes (similar to Ebbinghaus, 2012 on welfare state regimes). However, as such they unavoidably share some disadvantages, so that the limitations outweigh the contributions of some typologies (see Elman, 2005; Wigell, 2008) depending on the particulars of their formulation and the ways in which they are employed when both a tropical land use regime complex exists. Our typology is an analytic idea intended, in the Weberian bureaucratic focus tradition (Elman, 2015; Guliyev, 2011), as a typology of regime relevance in the study of domestic politics. Establishing the relevance of a land use regime, which is large and complex, needs facilitation of typological reasoning and compression. Elman (2005) argues that these facilitations, working with multivariable explanatory typologies, would allow the analyst to discover missed combinations and suppressed assumptions of regime relevance. We propose a typology of regime relevance in the new study of bridging international and domestic politics.

Fundamentally, we propose two explanatory dimensions of typology categories, actor and problem dimensions, by which a two-dimensional typology is better grounded for mapping regimes, particularly hybrid and complex regimes (Wigell, 2008). Four pathways or regimes—here we were influenced by Bernstein and Cashore (2012)—implicitly suggest that international regimes are actually relevant to their member states. This ignores the option of treating such regimes as merely symbolic policy. Hence, what these novel approaches underestimate is that in any given domestic context a regime may or may not be relevant in two ways. This two-dimensional typology tends to (i) understate and review the coherence problem between a regime's scope and domestic land use problems and (ii) analyse actors' behavioural actions using bureaucratic politics for utilizing the global and regional land use regime complex. In this two-dimensional approach, four types of relevance are postulated: 'pure relevance', 'made relevant', 'being made relevant' and 'non-relevant'. Furthermore, this two-dimensional approach tends to minimize the complexity of the land use regime complex. However, for future research, the dichotomous dimensions approach should be investigated to see if there exists an overlap between different types of regime (see Wigell, 2008).

Conclusively, in anchoring our typology, we used a simple quantitative approach (see Wallace, & Singer, 1970) for measuring the actor and problem dimensions using a bureaucratic politics approach. Firstly, the problem addressed by a particular regime may be pertinent specifically to a given country, leading to the relevance of that regime in a **problem dimension** (Krasner, 1982; 1983). Indeed, multiple justifications are a source of broad attraction in regime scope, whether it is correspondent or forced to be correspondent with domestic priority issues. Secondly, regimes may be made relevant in a given domestic context due to their active use by domestic policy actors in order to justify their preferences, even if the problem the regime is addressing does not pertain to the country

in question. The latter situation is rooted in interest-based bureaucratic politics theory (Krott, 2005; Peters, 2010), according to which nation-level bureaucracies may utilize international negotiations, regimes and actors to further their interests domestically (Giessen et al., 2014; Giessen, 2013; Arts, 2012; Arts et al., 2013). Here, this is considered to be the **actor dimension** of regime relevance. In the motivations of key bureaucratic actors, we are focusing our attention on how they maximize budgets and staff to support regimes, support of a high legal basis, and other bureaucratic resources. There is much spillage between regime opportunities that are available and domestic actions that are preferable, and we explore how these regimes prefer to be utilized by domestic actors or regimes, being either fully implemented or blocked/partly blocked, which will explain their basic interests.

### **Hypotheses**

- Hypothesis VIII: Using the two dimensions: (1) actor and (2) problem, a typology of regime-relevance discriminates four types of relevance: ‘pure relevance’, ‘being relevant’, ‘being made relevant’ and ‘non relevant’.
- Hypothesis IXa: Within the type ‘being relevant’, although the international regimes address strong problems, national actors neglect political regulations. Informally, the bureaucracies oppose the potential solution preferred by the regimes.  
Hypothesis IXb: Within the type ‘being made relevant’ national bureaucracies stress the importance of the regimes although the regimes do not address strong problems. Informally, the national bureaucracies expect to gain advantages from the regimes process.

## **3 Methodology**

### **3.1 Procedures**

#### **3.1.1 Working group procedure**

This research was a part of Working Group International Forest Regime, Chair Group of Forest and Nature Conservation Policy, University of Göttingen. Therefore, the working group discussion produced a general methodology and hypotheses based on the core theories applied, including bureaucratic politics and international regimes. Afterward, each individual researcher developed their detailed methodology and hypotheses and triangulated them with other theories based on specific cases of Indonesia’s utilization of the land use regime complex. Specific literature from other colleagues in the working group was used (e.g. Wibowo & Giessen, 2012) as a starting point. This is in line with Sadath and Krott’s (2012) assertion that issues can be a starting point in policy analysis.

#### **3.1.2 Multiple triangulation procedure**

Triangulation refers to the use of more than one approach to investigate a research question in order to increase the validity of the research results (Denzin, 1970; Wilson, 2014). Data, investigator, theory and method triangulation supported our framework for looking at international or domestic regimes from the bottom up and ensured our results were valid and reliable. The multiple triangulation approach was utilized to reduce author bias and subjectivity.

As shown in Table 2, the establishment of the new government of Indonesia in October 2014 has potentially established a new configuration of bureaucratic politics regarding Indonesia’s land use regime change system. Hence, three field works were conducted concerning the timeframe of domestic political issues such as before the new government was established (December 2013 until February 2014), during the new government’s establishment (October 2014 and November 2014), and after new government’s establishment (May 2015 and June 2015) to cover the data changes and to increase the reliability. To comply with different level of actors and bureaucracies, it is collected data from national level in Jakarta and Bogor, sub national level in South Sulawesi and Jambi provinces, as well as in ASEAN level in Jakarta and Manila-Philippines.